



IFW

Docket No.: 2224-0258PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Masahiko ITAKURA et al.

Application No.: 10/588,607

Confirmation No.: N/A

Filed: August 7, 2006

Art Unit: N/A

For: LASER WELDABLE LABEL AND SHAPED
COMPOSITE ARTICLE THEREWITH

Examiner: Not Yet Assigned

L E T T E R

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Subsequent to the filing of the above-identified application on August 7, 2006, attached hereto is International Preliminary Report on Patentability and Written Opinion issued by the International Bureau on behalf of the International Search Authority. Please make these documents of record for the above-identified application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or to credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: May 3, 2007

Respectfully submitted,

By _____

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Attachments

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

| | | | |
|--|--|--|------------------|
| Applicant's or agent's file reference FP-05012PC | FOR FURTHER ACTION | | See item 4 below |
| International application No. PCT/JP2005/013374 | International filing date (<i>day/month/year</i>) 21 July 2005 (21.07.2005) | Priority date (<i>day/month/year</i>) 22 July 2004 (22.07.2004) | |
| International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237 | | | |
| Applicant Daicel Polymer, Ltd. | | | |

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
2. This REPORT consists of a total of 6 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

| | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

| | |
|---|---|
| The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70 | Date of issuance of this report 23 January 2007 (23.01.2007) |
| Authorized officer Masashi Honda e-mail: pt08@wipo.int | |

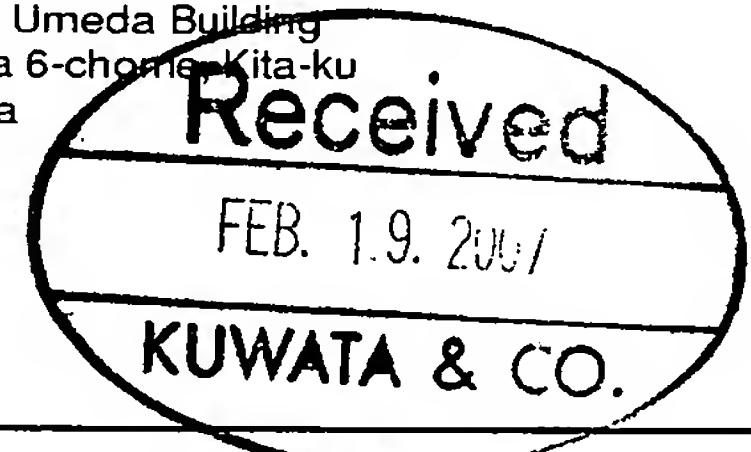
From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II)
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

KUWATA, Mitsuo
KUWATA & CO.
6th Floor, Minato Umeda Building
3-17, Nishitemma 6-chome, Kita-ku
Osaka-shi, Osaka
5300047
JAPON



Date of mailing (day/month/year)
01 February 2007 (01.02.2007)

Applicant's or agent's file reference
FP-05012PC

IMPORTANT NOTIFICATION

International application No.
PCT/JP2005/013374

International filing date (day/month/year)
21 July 2005 (21.07.2005)

Applicant

Daicel Polymer, Ltd. et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KM, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NG, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

TRANSLATION

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

| | | |
|---|---|---|
| | | Date of mailing (day/month/year) |
| Applicant's or agent's file reference FP-05012PC | | FOR FURTHER ACTION See paragraph 2 below |
| International application No. PCT/JP2005/013374 | International filing date (day/month/year) 21.07.2005 | Priority date (day/month/year) 22.07.2004 |
| International Patent Classification (IPC) or both national classification and IPC | | |
| <p>Applicant Daicel Polymer, Ltd.</p> | | |

1. This opinion contains indications relating to the following items:

| | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

| | |
|--|--------------------|
| Name and mailing address of the ISA/JP | Authorized officer |
| Facsimile No. | Telephone No. |

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2005/013374

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material
 in written format
 in computer readable form
 - c. time of filing/furnishing
 contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2005/013374

| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|-------------------|-------------|--------|-------------|-----|--|--------|---------|----|---------------------|--------|-------------|-----|--|--------|-------------------|----|-------------------------------|--------|-------------|-----|--|--------|---------|----|
| Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>1. Statement</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Novelty (N)</td> <td style="width: 40%;">Claims</td> <td style="width: 30%;"><u>1-16</u></td> <td style="width: 10%; text-align: right;">YES</td> </tr> <tr> <td></td> <td>Claims</td> <td><u></u></td> <td style="text-align: right;">NO</td> </tr> <tr> <td>Inventive step (IS)</td> <td>Claims</td> <td><u>9-11</u></td> <td style="text-align: right;">YES</td> </tr> <tr> <td></td> <td>Claims</td> <td><u>1-8, 12-16</u></td> <td style="text-align: right;">NO</td> </tr> <tr> <td>Industrial applicability (IA)</td> <td>Claims</td> <td><u>1-16</u></td> <td style="text-align: right;">YES</td> </tr> <tr> <td></td> <td>Claims</td> <td><u></u></td> <td style="text-align: right;">NO</td> </tr> </table> | | | Novelty (N) | Claims | <u>1-16</u> | YES | | Claims | <u></u> | NO | Inventive step (IS) | Claims | <u>9-11</u> | YES | | Claims | <u>1-8, 12-16</u> | NO | Industrial applicability (IA) | Claims | <u>1-16</u> | YES | | Claims | <u></u> | NO |
| Novelty (N) | Claims | <u>1-16</u> | YES | | | | | | | | | | | | | | | | | | | | | | | |
| | Claims | <u></u> | NO | | | | | | | | | | | | | | | | | | | | | | | |
| Inventive step (IS) | Claims | <u>9-11</u> | YES | | | | | | | | | | | | | | | | | | | | | | | |
| | Claims | <u>1-8, 12-16</u> | NO | | | | | | | | | | | | | | | | | | | | | | | |
| Industrial applicability (IA) | Claims | <u>1-16</u> | YES | | | | | | | | | | | | | | | | | | | | | | | |
| | Claims | <u></u> | NO | | | | | | | | | | | | | | | | | | | | | | | |
| <p>2. Citations and explanations:</p> <p>Document 1: JP 2003-183524 A (Bayer AG.), 03 July 2003, full text, Fig. 1 & US 2003/0130381 A1 & EP 1306404 A1</p> <p>Document 2: JP 2004-148800 A (Ube Industries, Ltd.), 27 May 2004, full text & US 2004/0045663 A1 & EP 1396334 A1</p> <p>Document 3: JP 2001-105499 A (Toyota Motor Corp.), 17 April 2001, full text, Fig. 1 (Family: none)</p> <p>Document 4: JP 2004-58581 A (Toyota Motor Corp.), 26 February 2004, full text, (Family: none)</p> <p>Document 5: JP 2004-74734 A (Seidensha Denshi Kogyo Kabushiki Kaisha), 11 March 2004, full text (Family: none)</p> <p>Document 6: JP 2004-168997 A (Orient Chemical Industry Co., Ltd.), 17 June 2004, full text, Fig. 1 & US 2004/0144483 A1 & EP 1418202 A2</p> | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Claims 1-5 and 12</p> <p>The inventions of claims 1-5 and 12 do not appear to involve an inventive step over document 1 cited in the ISR. Document 1, Table 2 and Table 4, etc., discloses a composition for laser welding wherein the main component thereof is PBT, the same as the embodiment disclosed in the specification, the figures shown for the permeability and thickness thereof being close to those of the embodiment disclosed in the specification.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Claims 6-8</p> <p>The inventions of claims 6-8 do not appear to involve an inventive step over document 1 cited in the ISR. Paragraphs 0110, 0129, etc., of document 1 describe using a coloring agent.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Claims 9-11</p> <p>The inventions of claims 9-11 appear to possess novelty and involve an inventive step over documents 1-6 cited in the ISR. Forming an absorbing component on one surface of a resin layer in a label for laser welding is neither described in documents 1-6, nor obvious to a person skilled in the art.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | |

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2005/013374

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claim 1 includes all labels for laser welding having the desired properties of "a resin layer in which the permeability ratio is at least 20% with respect to laser light having an oscillating wavelength within the range of 740-1100 nm, a total ray permeability of no more than 50% with respect to visible light compliant with ASTM D1003, and a haze value of at least 70% compliant with ASTM D1003," but what is disclosed according to the meaning of the PCT Article 5 is only the particular label for laser welding described in the embodiment, of the specification, and since a general solving means for realizing the above desired properties cannot be said to have been disclosed even when taking into consideration the common general technical knowledge available at the time of the application, claim 1 is not supported in accordance with the meaning of PCT Article 6.

Therefore, the search was performed within the scope disclosed in and supported by the specification, or in other words for the particular label for laser welding of the embodiment specifically described in the specification.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2005/013374

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: V.2

Claims 13-15

The inventions of claims 13-15 do not appear to involve an inventive step over document 1 cited in the ISR. For example, it is normal for objects subjected to laser welding to have absorbency with respect to laser light, as with the laser absorbency test piece in document 1.

Claim 16

The invention of claim 16 does not appear to involve an inventive step over document 1 cited in the ISR. What object to use for laser welding is matter which can be selected appropriately.